

PUGET SOUND LEGISLATIVE UPDATE

July 9, 2013 | End of 2013 legislative session

This Legislative Update highlights the issues impacting our region's work to protect and restore the health of Puget Sound. Previous editions are available online at www.psp.wa.gov.

2013 SESSION ENDS, STRONG SUPPORT FOR PUGET SOUND

After more than 150 days and two special sessions, the 2013 Legislature adjourned on June 29 after the Senate and House finally passed a two-year operating budget for 2013-2015. Thanks to your commitment to set priorities and work together as a region—this was a very successful session for Puget Sound!

Your active involvement in the legislative session made the difference. You helped our region secure an unprecedented amount of funding for Puget Sound's number one Capital Budget priority—the **Puget Sound Acquisition and Restoration** (PSAR) account—which will enable our region to implement the science-based watershed plans developed and by a broad regional coalition of local jurisdictions, Tribes, businesses, farmers, environmental groups, and government agencies.

We appreciate everyone who helped develop and support the new approach for prioritizing PSAR projects to emphasize local and regional priorities. We give a special thanks to the many letters of support sent to elected officials from the following partner organizations:

- Leadership Council, Ecosystem Coordination Board and Salmon Recovery Council
- Tulalip Tribes
- Makah Tribe
- Jamestown S'Klallam Tribe
- Dungeness River Management Team
- Snoqualmie Watershed Forum
- WRIA 8
- Pierce County Regional Council
- Snohomish Basin Salmon Recovery Forum

Together, you kept current on issues during our weekly board calls, participated in meetings with legislators, and let your elected leaders know why a healthy Puget Sound matters to our economy, our health, and our quality of life.

2013 SESSION AT A GLANCE

Information:

- For up-to-date legislative information, visit: www.leg.wa.gov
- To watch or listen to a legislative hearing, visit: www.tvw.org
- For both current and previous copies of the Legislative Update, visit: www.psp.wa.gov

Communication and Coordination:

If you are planning to testify on a bill, meet with legislators, or would like assistance with state legislative issues regarding Puget Sound priorities—please contact:

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Highlights of your hard work and collective success include:

- Securing unprecedented capital funding for **habitat improvements, floodplain management and reductions to toxic stormwater runoff.**
- Establishing **levee vegetation demonstration pilot projects** in King and Whatcom counties to address conflicting demands and federal policies regarding floodplains.
- Advancing **Puget Sound steelhead recovery** efforts by coordinating a study of juvenile steelhead marine survival.
- Supporting ongoing **science-based, adaptive management efforts** for Puget Sound recovery.
- Creating a **new stormwater funding system** to rate, rank, and fund green infrastructure retrofits and other projects to improve water quality.
- Preventing **derelict and abandoned boats** from polluting Puget Sound.

BIPARTISAN INVESTMENTS ADVANCE PUGET SOUND PRIORITIES

Below is a comprehensive summary of the **top 10 highest-ranked Puget Sound budget priorities** in the transportation, operating, and capital budgets.

Please make time to review these shared successes, then **contact your legislators to thank them** for investing in Puget Sound priorities. You can send them a brief message through the toll-free Legislative Hotline number at 800.562.6000 or e-mail services at: <https://dlr.leg.wa.gov/MemberEmail/Default.aspx>

TRA = Transportation Budget

CA= Capital Budget

OPR= Operating Budget

- Stormwater Permit Compliance:** To manage urban runoff and reduce environmental impacts due to stormwater discharged from State highways and facilities. A portion of the funding will be invested in the Puget Sound region and would continue the implementation of the Department of Transportation's stormwater management responsibilities to meet requirements of the National Pollutant Discharge Elimination System (NPDES) municipal permit. (*Department of Transportation — Transportation Budget*) (*Action Agenda C.2.1*)

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
TRA	\$8.74 million	\$4.98 million	\$560,000	\$6.11 million

- 2 **Puget Sound Acquisition & Restoration Fund (PSAR):** To fund the most important, science-based, locally prioritized projects to restore Puget Sound habitat. All of the funding goes to Puget Sound to remove barriers to fish migration, replant stream banks, remove dikes and levees, as well as create or purchase pristine habitat. Project sponsors invest in the cost of each project—leveraging local and state investments. *(Recreation & Conservation Office — Capital Budget) (Action Agenda A.2.1, A.5.4 & E.1.3.2)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
CAP	\$80 million	\$60 million	\$70 million	\$70 million

- 3 **Salmon Recovery Funding Board:** Grants to protect or restore salmon habitat. Projects located in Puget Sound directly support the habitat recovery goals adopted by the Partnership. *(Recreation & Conservation Office — Capital Budget) (Action Agenda A.2.1, A.5.3, A.5.4, A.6.1 & A.6.5)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
CAP	\$75 million	\$75 million	\$75 million	\$75 million

- 4 **Puget Sound Estuary & Salmon Restoration Program (ESRP):** Provides the technical assistance necessary to restore and protect Puget Sound beaches, bays and river deltas. The ESRP program helps produce healthy habitat for salmon by ensuring shorelines are intact, functioning naturally, and resilient to climate change. *(Recreation & Conservation Office — Capital Budget) (Action Agenda A.2.1 & A.5.4)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
CAP	\$10 million	\$10 million	\$10 million	\$10 million

- 5 **Levee Vegetation and Floodplain Restoration:** Funds two watershed pilot demonstration projects in King and Whatcom counties that will bring local, state, federal, and regional parties together to resolve multiple issues related to levees and floodplain management. The urban and rural pilot projects will result in prioritized capital projects to reduce flood risk, protect lives and property, restore floodplain and riparian habitat functions, and create a framework for other communities to replicate throughout our state and region. *(Puget Sound Partnership — Operating Budget) (Action Agenda A.5.3.4)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
OP	\$635,000	\$635,000	\$635,000	\$635,000

- 6 **Natural Resources Investments for the Economy and Environment:** Resources for conservation districts to provide technical assistance and projects to address agriculture impacts on shellfish growing areas. *(State Conservation Commission — Capital Budget) (Action Agenda A.3.1.1 & C.3.2.1)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
OP	\$5 million	Not funded	\$10 million	\$10 million (\$5 million dedicated to shellfish growing areas)

- 7 **Invasive Species Council Funding:** To fund the Washington Invasive Species Council to coordinate response, prevention, and education actions by federal, state, tribal, local, and non-governmental partners on invasive species. (*Recreation & Conservation Office — Operating Budget*) (*Action Agenda B.5.3 & B.5.3.2*)

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
OP	\$86,000	\$86,000	\$86,000	\$86,000

- 8 **Statewide Low-Impact Development (LID) Program:** To implement the comprehensive training plan to implement LID techniques for a wide range of audiences to address polluted stormwater and assist with compliance for the updated municipal stormwater permits. (*Department of Ecology—Operating Budget*) (*Action Agenda C.2.5.1*)

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
OP	\$1.981 million	\$1.981 million	\$1.981 million	\$1.981 million

- 9 **Local Government Planning Support:** Would have provided financial assistance to local governments to update their comprehensive plans under the Growth Management Act. (*Department of Commerce — Operating Budget*) (*Action Agenda A.1.2.2*)

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
OP	\$5.877 million	Not funded	\$4.2 million	Not funded

- 10 **Wastewater Discharge Fee:** To hire additional inspectors, engineers, and other permit-support staff to focus new resources on source-control inspections and monitoring in Seattle’s Duwamish Waterway, where a large-scale toxic cleanup is beginning, and to conduct stormwater inspections in currently underserved permit categories. (*Department of Ecology — Operating Budget*) (*Action Agenda C.1.6.1 & C.2.4.1*)

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
OP	\$1.169 million	\$1.169 million	\$660,000	\$660,000

OTHER PUGET SOUND BUDGET PRIORITIES

Centennial Clean Water Program: To provide grants for local governments to construct wastewater treatment facilities, eliminate failing on-site sewage systems and stormwater control. (*Department of Ecology — Capital Budget*) (*Action Agenda C.3.1, C.5.3 & C.6.3*)

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
CAP	\$50 million	\$50 million	\$50 million	\$50 million

Conservation Reserve Enhancement Program (CREP): To provide grants for landowners to complete projects that restore and preserve salmon habitat and purchase conservation easements, as well as construct and preserve habitat buffers. *(State Conservation Commission — Capital Budget) (Action Agenda A.3.1, A.3.1.1 & C.3.2.1)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
CAP	\$5.001 million	\$5.001 million	\$5.001 million	\$5.001 million

Implementing Better Brakes Law: To implement RCW 70.285, which bans certain brake friction materials released every year from the automotive brake pads, carried by stormwater into Puget Sound, and other Washington waters where they are toxic to salmon and many other aquatic organisms. Funding supports publicizing and enforcing the ban, certifying manufacturer compliance, tracking friction materials, and assessing safer alternatives. *(Department of Ecology — Operating Budget) (Action Agenda C.1.1)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
OP	\$188,000	\$188,000	\$188,000	\$188,000

Aquatic Lands Environmental Management: To fund adaptive management for Puget Sound recovery, restoration of state-owned aquatic lands, removal of creosote pilings, and investigations of outfalls on aquatic lands. *(Department of Natural Resources — Operating Budget) (Action Agenda A.1.3, B.2.2.3, B.2.2.4 & B.3.1.2)*

(Aquatic Lands Business Management - \$2.382 million; Creosote Piling Removal - \$1 million; Aquatic Lands Investigations - \$1.948 million; Adaptive Management - \$1.85 million; Outfall Investigations - \$250,000)

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
OP	\$7.43 million	\$7.43 million	\$7.43 million	\$7.43 million

Aquatic Lands Enhancement Account (ALEA): To provide grants for acquisition and habitat enhancement projects within or adjacent to state-owned aquatic lands throughout Washington state. A portion of these funds will be invested in Puget Sound-area projects to re-establish the natural, self-sustaining ecological functions of the waterfront. *(Recreation & Conservation Office — Capital Budget) (Action Agenda A.2.1, A.2.1.3, A.5.4, B.2.1, B.2.2 & B.4.2)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
CAP	\$5.3 million	\$6 million	\$6 million	\$6 million

Family Forest Fish Passage Program (FFFPP): Funding for small-forest landowners to repair or remove fish passage barriers. *(Recreation & Conservation Office — Capital Budget) (Action Agenda A.5.4, B.5.2, C.4.2.2. & C.4.2.3)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
CAP	\$2 million	\$2 million	\$2 million	\$2 million

Ocean Acidification: Funding to implement the 2012 recommendations from Gov. Gregoire's Blue Ribbon Panel on Ocean Acidification. *(Department of Ecology, University of Washington, Department of Natural Resources — Operating Budget) (Action Agenda C.7.5.4)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
OP	\$3.31 million	\$3.19 million	\$1.82 million University of Washington	\$1.82 million University of Washington

Steelhead Recovery Planning: To identify the major threats that are reducing juvenile steelhead marine survival rates and \$1.2 million to develop steelhead recovery plans for the 12 local watersheds that lack recovery plans. *(Puget Sound Partnership — Operating Budget) (Action Agenda A.3.1.1, A.3.2, C.3.1)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
OP	\$788,000	\$788,000	\$788,000	\$788,000 (For juvenile steelhead survival rate study only)

Voluntary Stewardship: To fund pilot programs in Thurston and Chelan counties to resolve agricultural impacts to critical areas. *(State Conservation Commission — Operating Budget) (Action Agenda C.3.1.3)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
OP	\$1.546 million	\$1.546 million	\$1.546 million	\$1.546 million

Forest Riparian Easement Program (FREP): To complete purchases of 50-year conservation easements from small-forest landowners along riparian areas. *(Department of Natural Resources — Capital Budget)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
CAP	\$3 million	\$3 million	\$2 million	\$2 million

Adaptive Management and Grant Administration: To develop science-based revisions to the Puget Sound Action Agenda through the adaptive management process. *(Puget Sound Partnership — Operating Budget)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
OP	\$450,000	\$450,000	\$450,000	\$450,000

Marine Spatial Planning: For mapping, ecological assessment, data tools, and stakeholder engagement. *(Department of Natural Resources — Operating Budget)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
OP	\$4 million	\$3.5 million	\$3.7 million	\$3.7 million

Livestock manure management for the Conservation Commission: \$1 million of the state toxics control account would have been divided between the south Yakima conservation district and the Whatcom conservation district (\$500,000 each) for the purposes of meeting the dairy nutrient management program requirements to protect drinking water aquifers from nitrate contamination. *(State Conservation Commission — Operating Budget)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
OP	Not Funded	\$1 million	Not Funded	Not Funded

Stormwater improvements: For the Department of Ecology to work with local governments to create and fund a prioritized list of stormwater improvement projects. *(Department of Ecology — Capital Budget)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
CAP	Not Funded	\$75 million	\$100 million	\$100 million

Derelict Abandoned Vessels – Implementation of HB 1245, plus additional removals: *(Department of Natural Resources — Operating Budget)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
OP	\$2 million	\$2 million	\$1,025 million	\$1.025 million

Derelict Abandoned Vessels – Implementation of HB 1245: *(Department of Ecology — Operating budget)*

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
OP	Not Funded	Not Funded	\$65,000	\$65,000

Derelict Vessels Removal and Disposal: To expedite the removal of more than 230 older, larger, more expensive ships that threaten the health of Puget Sound. (*Department of Natural Resources — Capital Budget*)

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
CAP	Not Funded	\$10 million	\$2 million	\$4.5 million

Floodplain Management and Control Grants (*Department of Ecology — Capital Budget*)

	GOV BUDGET	SENATE BUDGET	HOUSE BUDGET	FINAL
CAP	\$1 million	\$20 million	\$50 million	\$50 million

BUDGET IMPACTS TO AGENCY PROGRAMS

Many of our partners have asked how the Legislature managed to solve the budget puzzle. Overall, they avoided a government shutdown, passed a capital budget, and invested \$1 billion extra into public schools by using funds from the federal health law, the Public Works Assistance Account and relying on the recent positive revenue forecast. These are short-term solutions that many believe will increase the need for sustainable solutions in the years to come.

The current budget avoids many of the drastic cuts originally proposed as “administrative efficiencies.”

Ecology avoided the approximate \$15 million in General Fund-State cuts to environmental programs, leasing reductions/office closures, and administrative efficiencies proposed earlier in the session.

Ecology did receive some operating budget reductions related to Puget Sound recovery, including a \$2.9 million reduction to statewide watershed planning assistance grants and technical assistance, as well as a \$2 million cut to flood control assistance. No funding was provided for the following Near-Term Actions:

- Washington State BEACH Program (C.9.3.2)
- Chemical Alternatives Assessments (C.1.2.1)
- Green Chemistry Roadmap (C.1.2.2)

Fortunately, Ecology’s budget included funding for the following Near-Term Actions:

- Low Impact Development training and certification program (C.2.5.1)
- Hazardous Waste, Wastewater, and Air Quality Compliance and Enforcement (C.2.4.1) — partially funded, consistent with the passage of agency request legislation.
- Watershed Plan Implementation and Flow Achievement (A.7.1.3)
- Dungeness Water Supply and Mitigation (A.7.1.3)
- Water Code Compliance and Enforcement
- Water Irrigation Efficiencies (A.7.1.3)

The **Washington State Parks** received support for several projects that will improve water quality, including: sewer systems, stormwater drainage, boat pump-out stations, and culverts.

For the **Partnership**, our important role to set regional priorities and protect public tax dollars invested in Puget Sound received strong bipartisan support. Our unique responsibility was enhanced by a budget proviso

that maintains and specifies the Partnership's responsibility to provide the Governor a single, prioritized list of state agency capital and operating budget requests related to Puget Sound restoration by Oct. 1, 2014, for 2015-2017 biennium.

PREPARING FOR THE 2014 LEGISLATIVE SESSION

The 2014 session is only six months away. As difficult as it might seem, we must now turn our attention to preparing for the next legislative session. Agency request legislation with a fiscal impact must be submitted to the Governor by Sept. 15, 2013, and those without a fiscal impact are due to the Governor by Oct. 1, 2013. Proposals must include: policy language, legal review, and approval by agency directors and board members. We will be working with each of our boards to adopt a calendar that achieves these timelines outlined by the Governor.

BUILDING ON SUCCESS, SUSTAINING MOMENTUM

Today, more than 750 partner organizations are coordinating throughout our region to increase local control and regional cooperation; leverage local, state and federal funding; and align priorities, funding and accountability. Together, we are improving the environment, economy and the quality of life Puget Sound provides. We could not have accomplished this without you!

Let's continue building on our collective success and accelerate our region's important work to protect and restore the health of Puget Sound. Please share your ideas to help us increase our coordination and communications so we can continue to most effectively protect and restore our region's greatest natural asset—Puget Sound.

Thank you again for all that you do!